

## **CLAIM AMENDMENTS**

### **Claim Amendment Summary**

#### **Claims pending**

- Before this Amendment: Claims 1-37.
- After this Amendment: Claims 1-37

**Non-Elected, Canceled, or Withdrawn claims:** None

**Amended claims:** 1, 25, 29 and 34

**New claims:** None

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### **Claims:**

#### **1. (Currently Amended) A method comprising:**

receiving a request to play a first audio file and a second audio file;

progressively analyzing consecutive data samples of the first audio file to determine a data sample wherein a threshold is reached; ~~wherein analyzing the data samples of the first audio file identifies to identify a first effective start position[[,]] and a fade-out position associated with the first audio file;~~

progressively analyzing consecutive data samples of the second audio file to determine a data sample wherein a threshold is reached; ~~wherein analyzing the data samples of the second audio file identifies to identify a second effective start position associated with the second audio file;~~

playing the first audio file ~~from beginning at~~ the first effective start position;

upon reaching the fade-out position associated with the first audio file:

fading-out playback of the first audio file; and

simultaneously fading-in playback of ~~playing the~~ second audio file ~~from beginning at~~ the second effective start position.

**2. (Original)** A method as recited in claim 1 wherein the fade-out position is located a predetermined time ahead of an effective end position associated with the first audio file.

**3. (Original)** A method as recited in claim 1 wherein the first effective start position differs from the start of the first audio file.

**4. (Original)** A method as recited in claim 1 further comprising fading-out playback of the second audio file upon reaching a fade-out position associated with the second audio file.

**5. (Original)** A method as recited in claim 1 wherein the first effective start position and the fade-out position associated with the first audio file are stored in a media library.

**6. (Original)** A method as recited in claim 1 wherein the first effective start position and the fade-out position associated with the first audio file are stored in the first audio file.

**7. (Original)** One or more computer-readable memories containing a computer program that is executable by a processor to perform the method recited in claim 1.

**8. (Original)** A method comprising:

- receiving a request to analyze an audio file;
- selecting the first two data samples in the audio file;
- calculating an average value of the first two data samples in the audio file;
- if the average value exceeds a threshold value, marking the second data sample as an effective start position associated with the audio file and marking the first data sample as silent;
- if the average value does not exceed the threshold value:
  - selecting subsequent data samples in the audio file and updating the average value of all selected data samples until the average value exceeds a threshold value;

marking a current data sample as an effective start position associated with the audio file; and

marking previously selected data samples as silent.

**9. (Original)** A method as recited in claim 8 wherein the average value of the data samples is calculated based on volume levels in the audio file.

**10. (Original)** A method as recited in claim 8 further comprising saving the effective start position associated with the audio file to a media library.

**11. (Original)** A method as recited in claim 8 further comprising saving the effective start position associated with the audio file to a storage device that stores the audio file.

**12. (Original)** A method as recited in claim 8 further comprising saving information regarding data samples marked as silent to a storage device that stores the audio file.

**13. (Original)** A method as recited in claim 8 wherein the effective start position is applied during subsequent playback of the audio file.

**14. (Original)** A method as recited in claim 8 wherein the effective start position is applied during subsequent playback of the audio file to determine a point at which the audio file begins to fade-in as a previous audio file fades out.

**15. (Original)** One or more computer-readable memories containing a computer program that is executable by a processor to perform the method recited in claim 8.

**16. (Original)** A method comprising:

- receiving a request to analyze an audio file;
- selecting the last two data samples in the audio file;
- calculating an average value of the last two data samples in the audio file;
- if the average value exceeds a threshold value, marking the last data sample as an effective end position associated with the audio file and marking the other selected data sample as silent;
- if the average value does not exceed the threshold value:
  - selecting previous data samples in the audio file and updating the average value of all selected data samples until the average value exceeds a threshold value;

marking a current data sample as an effective end position associated with the audio file; and

marking previously selected data samples as silent.

**17. (Original)** A method as recited in claim 16 wherein the method is performed by a media player application.

**18. (Original)** A method as recited in claim 16 further comprising saving the effective end position associated with the audio file in a media library.

**19. (Original)** A method as recited in claim 16 further comprising saving the effective end position associated with the audio file to a storage device that stores the audio file.

**20. (Original)** A method as recited in claim 16 wherein the average value of the data samples is calculated based on volume levels in the audio file.

**21. (Original)** A method as recited in claim 16 further comprising saving information regarding data samples marked as silent to a storage device that stores the audio file.

**22. (Original)** A method as recited in claim 16 wherein the effective end position is applied during subsequent playback of the audio file.

**23. (Original)** A method as recited in claim 16 wherein the effective end position is applied during subsequent playback of the audio file to determine a point at which the audio file begins to fade-out.

**24. (Original)** One or more computer-readable memories containing a computer program that is executable by a processor to perform the method recited in claim 16.

**25. (Currently Amended)** An apparatus comprising:

a cross-fade parameter calculator to progressively analyze consecutive data samples of the first audio file to determine a data sample wherein a threshold is reached ~~analyze data samples of an audio file and calculate at least one fade-out parameter associated with the audio file;~~

a media library coupled to the cross-fade parameter calculator, the media library to store fade-out parameters associated with a plurality of audio files, wherein the fade-out parameters are stored separate from the audio files; and

~~wherein the fade-out parameters are stored separate from the audio files;~~

and

a cross-fader coupled to the media library, the cross-fader to apply fade-out parameters during playback of audio files.

**26. (Original)** An apparatus as recited in claim 25 wherein the cross-fade parameter calculator calculates an effective start position associated with the audio file.

**27. (Original)** An apparatus as recited in claim 25 wherein the cross-fade parameter calculator calculates an effective end position associated with the audio file.

**28. (Original)** An apparatus as recited in claim 25 wherein the cross-fader retrieves fade-out parameters from the media library.

**29. (Currently Amended)** An apparatus comprising:  
means for receiving a request to play a first audio file followed by a second audio file;

means for progressively analyzing consecutive data samples of the first audio file to determine a data sample wherein a threshold is reached~~analyzing data samples of the first audio file; wherein analyzing the data samples of the~~



~~first audio file identifies to identify~~ a first effective start position and a fade-out position associated with the first audio file, and

~~progressively analyzing consecutive data samples of the second audio file to determine a data sample wherein a threshold is reached analyzing data samples of the second audio file; wherein analyzing the data samples of the second audio file identifies to identify~~ a second effective start position associated with the second audio file; and

means for playing the first audio file ~~from beginning at~~ the first effective start position, wherein upon reaching the fade-out position associated with the first audio file, the means for playing fades-out playback of the first audio file and begins playing the second audio file ~~from beginning at~~ the second effective start position.

**30. (Original)** An apparatus as recited in claim 29 wherein the fade-out position is located a predetermined time prior to an effective end position associated with the first audio file.

**31. (Original)** An apparatus as recited in claim 29 wherein the means for playing fades-out playback of the second audio file upon reaching a fade-out position associated with the second audio file.

**32. (Original)** An apparatus as recited in claim 29 wherein the start position associated with the first audio file, the fade-out position associated with the first audio file, and the second effective start position associated with the second audio file are retrieved from a media library.

**33. (Original)** An apparatus as recited in claim 29 wherein the start position associated with the first audio file and the fade-out position associated with the first audio file are retrieved from the first audio file.

**34. (Currently Amended)** One or more computer-readable media having stored thereon a computer program that, when executed by one or more processors, causes the one or more processors to perform a method comprising:

~~receive~~receiving a request to play a sequence of audio files;

~~analyze progressively~~ analyzing consecutive data samples ~~analyzing data samples of a first audio file in the sequence of audio files,~~ wherein ~~analyzing~~ yields yielding data ~~used to calculate a first an~~ effective start position and a fade-out position associated with the first audio file;

~~analyze progressively~~ analyzing consecutive data samples ~~data samples of a second audio file in the sequence of audio files,~~ wherein ~~analyzing~~ yields yielding data ~~used to calculate a second an~~ effective start position associated

with a second audio file, wherein the second audio file is adjacent and subsequent to the first audio file within the sequence of audio files;

~~play~~ playing the first audio file from beginning at the first effective start position associated with the first audio file;

upon reaching the fade-out position associated with the first audio file:

~~fade-out~~ fading-out playback of the first audio file; and

~~play~~ playing the second audio file from beginning at the second effective start position associated with the second audio file.

**35. (Original)** One or more computer-readable media as recited in claim 34 wherein the fade-out position associated with the first audio file is calculated by subtracting a predetermined time period from an effective end position associated with the first audio file.

**36. (Original)** One or more computer-readable media as recited in claim 34 wherein the one or more processors further fade-out playback of the second audio file upon reaching a fade-out position associated with the second audio file.

**37. (Original)** One or more computer-readable media as recited in claim 34 wherein the one or more processors further calculate effective start positions and fade-out positions associated with each audio file in the sequence of audio files.